

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

Seth Baker, et al.,

Plaintiffs,

v.

Microsoft Corporation,

Defendant.

No. 11-cv-00722-RSM

STIPULATION AND ORDER  
GRANTING PLAINTIFFS' MOTION  
TO DISMISS WITH PREJUDICE

**STIPULATION**

The parties, by and through their attorneys of record, stipulate to the Court's entry of the proposed Order set forth below, dismissing this case with prejudice, directing entry of judgment, and reserving questions of appealability. In support of this request, the parties represent the following:

1. Plaintiffs filed this action on April 28, 2011. *See* Dkt. 1.
2. On March 27, 2012, the Court entered its Order on Defendant's Motion to Strike Plaintiffs' Class Allegations, granting Microsoft's Motion to Strike. *See* Dkt. 32.
3. On June 12, 2012, the United States Court of Appeals for the Ninth Circuit entered an Order "in its discretion, den[ying] the [Plaintiffs'] petition for permission to appeal the district court's March 27, 2012 order."



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**ORDER**

Based on the foregoing Stipulation, the Court GRANTS Plaintiffs' Motion to Dismiss with Prejudice, with all parties to bear their own costs and fees. The Court hereby directs the Clerk to enter Judgment accordingly and close this case.

IT IS SO ORDERED.

DATED this 16 day of October, 2012.



RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE

Presented By:

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